

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
 : Group Art Unit: 3732  
Paul A. Vaughan :  
 : Examiner: Ralph A. Lewis  
Appln. No.: 10/823,418 :  
 : Confirmation No.: 4783  
Filed: April 12, 2004 :  
 : Customer No.: 21967  
For: VERTEBRAL STABILIZATION :  
 : ASSEMBLY AND METHOD :  
 :  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. 1.137(b) TO REVIVE UNINTENTIONALLY  
ABANDONED APPLICATION

Sir:

The above-identified patent application became abandoned for failure to file a timely and proper reply to the Office Action dated March 6, 2008. Applicant respectfully petitions for revival of the above-identified patent application. In order to obtain a grantable petition, Applicant is submitting the following required items: 1.) a petition fee in the amount of \$810.00 as set forth under 37 C.F.R. § 1.17(m); and 2.) a proper reply to the Office Action dated March 6, 2008.

The entire delay in filing the required reply from the due date for the required reply until the filing of this grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

A terminal disclaimer is not necessary due to the fact that the above-identified patent application was filed after June 8, 1995.

It is respectfully submitted that the present petition is grantable, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below-listed telephone number, in order to expedite resolution of any issues and to expedite granting of the present petition, if any comments, questions, or suggestions arise in connection with the present petition.

Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

Respectfully submitted,

Hunton & Williams LLP

By: 

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TEA/vrp

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Date: January 21, 2009